

REMARKS

Claims 1-20 were originally filed in the present application.

Claims 1-20 are pending in the present application.

Claims 1-20 were rejected in the December 18, 2007 Office Action.

No claims have been allowed.

Claims 1, 3-4, 6, 8-9, 11, 13-16 and 18-19 are amended herein.

Claims 21-22 are added herein.

Claims 1-22 remain in the present application.

Reconsideration of the claims is respectfully requested.

Applicant notes that the amendments to the claims included herein are fully supported by the specification and thus do not add new matter. Accordingly, Applicant respectfully requests that these amendments be entered.

I. REJECTION UNDER 35 U.S.C. § 102

The Examiner rejected independent Claim 11 under 35 U.S.C. §102(e) as being anticipated by U. S. Patent No. 2005/0036486 to *Sahinoglu, et al.* (“*Sahinoglu*”). These rejections are respectfully traversed for the reasons discussed below.

A prior art reference anticipates a claimed invention under 35 U.S.C. § 102 only if every element of the claimed invention is identically shown in that single reference, arranged as they are in the claims. (*MPEP* § 2131; *In re Bond*, 910 F.2d 831, 832, 15 U.S.P.Q.2d 1566, 1567 (Fed. Cir. 1990)). Anticipation is only shown where each and every limitation of the claimed

invention is found in a single prior art reference. (*MPEP* § 2131; *In re Donohue*, 766 F.2d 531, 534, 226 U.S.P.Q. 619, 621 (Fed. Cir. 1985)).

The Applicant respectfully submits that *Sahinoglu* fails to disclose, teach or suggest “retrieving initial route cost information from the RREQ message, the initial route cost information comprising at least one radio frequency (RF) link cost parameter and at least one node cost parameter,” as recited by independent Claim 11, as amended.

To show the claimed route cost information retrieved from an RREQ message, the Examiner cites the costs included in the RREQ packets of paragraphs 32, 38 and 39 of *Sahinoglu*. Office Action, page 4. However, in defining these costs, *Sahinoglu* simply refers to known routing methods for routing packets through wireless networks and states that “[m]ost of those methods are based on simple cost metrics such as ‘hop’ count or ‘energy’ consumed during packet transmission.” Para. 31, lines 1-4. Applicant is unable to find any other reference in *Sahinoglu* to any other type of cost. Therefore, *Sahinoglu* fails to disclose the use of both an RF link cost parameter and a node cost parameter as cost information in an RREQ packet.

In contrast, as amended, independent Claim 11 provides for route cost information that comprises an RF link cost parameter and a node cost parameter. As defined in the present application, a link parameter depends on the RF link between two MANET nodes, such as radio link quality, and a node parameter depends on time-varying parameters in each MANET node, such as battery life, buffer congestion, user willingness, buffer occupancy, and the like. Present Application, para. 34, lines 11-16. Therefore, for at least this reason, independent Claim 11, as amended, is not

anticipated by the cited art. Therefore, the Applicant respectfully submits that this rejection should now be withdrawn.

The Applicant also disagrees with the Examiner's rejection of Claim 11 based on additional misdescriptions and/or misapplications of *Sahinoglu* to Claim 11. However, the Applicant's arguments regarding those other shortcomings of *Sahinoglu* are moot in view of the Claim 11 arguments above. However, the Applicant reserves the right to dispute in future Office Action responses the appropriateness and the applications of *Sahinoglu* to the claims of the present application, including the right to dispute assertions made by the Examiner in the December 18, 2007 Office Action.

II. REJECTION UNDER 35 U.S.C. § 103

The Examiner rejected Claims 1-10 and 12-20 under 35 U.S.C. §103(a) as being unpatentable over *Sahinoglu* in view of U. S. Patent No. 2003/0179718 to *Ebata, et al.* ("*Ebata*"). Of these, Claim 1 is independent. These rejections are respectfully traversed for the reasons discussed below.

Similar to independent Claim 11, independent Claim 1, as amended, recites, "a controller capable of receiving incoming data packets from said RF transceiver and sending outgoing data packets to said RF transceiver, wherein said controller receives a Route Request (RREQ) message generated by said source MANET node and retrieves initial route cost information from said RREQ message, said initial route cost information comprising at least one RF link cost parameter and at least one node cost parameter." Accordingly, for the reasons discussed above in connection with

Claim 11, independent Claim 1 is not made obvious by the cited art. Therefore, the Applicant respectfully submits that this rejection should now be withdrawn.

Dependent Claims 2-10, which depend from independent Claim 1, and dependent Claims 12-20, which depend from independent Claim 11, are also not made obvious by the cited art because they include the limitations of their respective base claims, which are patentable as described above, and add additional elements that further distinguish the art. Therefore, the Applicant respectfully submits that these rejections should also now be withdrawn.

The Applicant also disagrees with the Examiner's rejections of Claims 1-10 and 12-20 based on additional misdescriptions and/or misapplications of *Sahinoglu* and *Ebata* to at least some of Claims 1-10 and 12-20. However, the Applicant's arguments regarding those other shortcomings of *Sahinoglu* and *Ebata* are moot in view of the Claim 11 arguments above. However, the Applicant reserves the right to dispute in future Office Action responses the appropriateness and the applications of *Sahinoglu* and *Ebata* to the claims of the present application, including the right to dispute assertions made by the Examiner in the December 18, 2007 Office Action.

III. NEW CLAIMS

The Applicant has added new Claims 21-22. The Applicant respectfully submits that no new matter has been added. See, e.g., Present Application, paragraphs 45 and 47. At a minimum, the Applicant respectfully submits that Claims 21-22 are patentable for one or more reasons discussed above. The Applicant respectfully requests entry and full allowance of Claims 21-22.

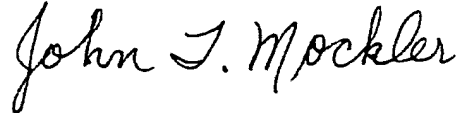
SUMMARY

For the reasons given above, the Applicant respectfully requests reconsideration and allowance of the pending claims and that this application be passed to issue. If any outstanding issues remain, or if the Examiner has any further suggestions for expediting allowance of this application, the Applicant respectfully invites the Examiner to contact the undersigned at the telephone number indicated below or at *jmockler@munckbutrus.com*.

The Commissioner is hereby authorized to charge any additional fees connected with this communication or credit any overpayment to Deposit Account No. 50-0208.

Respectfully submitted,

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